

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 169 - SB 402**

February 8, 2019

**SUMMARY OF BILL:** Authorizes parents to agree to a designation as joint primary residential parents, or waive the designation of a primary residential parent on a parenting plan when the child is scheduled to reside an equal amount of time with both parents, for the purpose of state and federal statutes and any applicable policies of insurance that require a designation or determination of custody. Allows the address of either parent to be used to determine school zoning when the child is scheduled to reside an equal amount of time with both parents.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – In the event a child moves from one local education agency (LEA) to another as a result of this legislation, there will be a shift in basic education program (BEP) funding from the previous LEA to the new LEA. The extent of any such impact is dependent on multiple unknown factors and cannot be reasonably determined.**

Assumptions:

- Pursuant to Tenn. Code Ann. § 36-6-410(a), a parenting plan must designate the parent with whom a child is scheduled to reside a majority of the time with, solely for the purpose of all other state and federal statutes and any applicable policies of insurance that require a designation or determination of custody.
- Authorizing parents to agree to a joint primary residential parent's designation, or to waive the designation of a primary residential parent on a parenting plan when a child resides with each parent an equal amount of time, will have no impact on state government.
- No fiscal impact on the operations of the Department of Children's Services.
- Based on information provided by the Administrative Office of the Courts, any impact on the court system will be absorbed within existing judicial resources.
- In the event a child moves from one local education agency (LEA) to another as a result of this legislation, there will be a shift in basic education program (BEP) funding from the previous LEA to the new LEA. The extent of any such impact is dependent on multiple unknown factors and cannot be reasonably determined.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/vlh